(Ms. LANDRIEU), the Senator from Arkansas (Mr. PRYOR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Nevada (Mr. REID) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. Con. Res. 40, a concurrent resolution designating August 7, 2003, as ''National Purple Heart Recognition Day''.

AMENDMENT NO. 1017

At the request of Mr. ALLARD, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Colorado (Mr. CAMPBELL) were added as cosponsors of amendment No. 1017 proposed to S. 1, a bill to amend title XVIII of the Social Security Act to provide for a voluntary prescription drug benefit under the Medicare program and to strengthen and improve the Medicare program, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS—JULY 11, 2003

By Ms. SNOWE (for herself, Mr. REID, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. KENNEDY, Mrs. MURRAY, Mr. SMITH, Mr. CORZINE, Mr. BIDEN, Mr. SARBANES, Mr. KERRY, Mr. WARNER, Mr. INOUYE, Mrs. LINCOLN, Ms. STABENOW, Mr. DURBIN, Mr. CHAFEE, Ms. COLLINS, and Mrs. BOXER):

S. 1396. A bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I am pleased today to join Senator SNOWE in introducing legislation that will promote equity and fairness for women.

The Equity in Prescription and Contraception Coverage Act of 2003, EPICC, requires insurance plans that provide coverage for prescription drugs to provide the same coverage for prescription contraceptives.

Senator SNOWE and I first introduced EPICC about 6 years ago. We have been working across party lines and across the ideological spectrum to gain support from our colleagues in the Senate, and I am proud to report that EPICC had 44 cosponsors from both parties in the 107th Congress.

It is time for us to come together and enact this legislation. It will prevent unintended pregnancies, reduce the number of abortions performed in this country, and address unmet health needs of American women.

We can find not only common ground but also a common sense solution in the legislation I am introducing with Senator SNOWE.

By making sure women can afford their prescription contraceptives, our bill will help to reduce the staggering rates of unintended pregnancy in the United States, and reduce the number of abortions performed.

It is a national tragedy that half of all pregnancies nationwide are unintended, and that half of those will end in abortions. It is a tragedy, but it doesn't have to be. If we work together, we can prevent these unintended pregnancies, and abortions.

One of the most important steps we can take to prevent unintended pregnancies, and to reduce abortions, is to make sure American women have access to affordable, effective contraception.

There are a number of safe and effective contraceptives available by prescription. Used properly, they greatly reduce the rate of unintended pregnancies.

However, many women simply can't afford these prescriptions, and their insurance doesn't pay for them, even though it covers other prescriptions.

That is not fair. We know women on average earn less than men, yet they must pay far more than men for health-related expenses.

According to the Women's Research and Education Institute, women of reproductive age pay 68 percent more in out-of-pocket medical expenses than men, largely due to their reproductive health-care needs.

Because many women can't afford the prescription contraceptives they would like to use, many do without them—and the result, all too often, is unintended pregnancy and abortion.

This isn't an isolated problem. The fact is, a majority of women in this country are covered by health insurance plans that do not provide coverage for prescription contraceptives.

This is unfair to women . . . and it's bad policy that causes additional unintended pregnancies, and adversely affects women's health.

Senator SNOWE and I first introduced our legislation in 1997. Since then, the Viagra pill went on the market, and one month later it was covered by most insurance policies.

Birth control pills have been on the market since 1960, and today, 43 years later, they are covered by only one-third of health insurance policies.

So, most insurance policies pay for Viagra. But most of them don't pay for prescription contraceptives that prevent unintentional pregnancies and abortions.

This isn't fair, and it isn't even cost-effective, because most insurance policies do cover sterilization and abortion procedures. In other words, they won't pay for the pills that could prevent an abortion . . . but they will pay for the procedure itself, which is much more costly.

The Federal Employee Health Benefits Program, which has provided contraceptive coverage for several years, shows that adding such coverage does not make the plan more expensive.

In December 2000, the U.S. Equal Employment Opportunity Commission, EEOC, ruled that an employer's failure to include insurance coverage for prescription contraceptives, when other prescription drugs and devices are covered, constitutes unlawful sex discrimination under Title VII of the Civil Rights Act of 1964.

On June 12, 2001, a Federal district court in Seattle made the same finding in the case of Erickson vs. Bartell Drug Company.

These decisions confirm that we have know all along; contraceptive coverage is a matter of equity and fairness for women.

We are not asking for special treatment of contraceptives—only equitable treatment within the context of an existing prescription drug benefit.

This legislation is right because it's fair to women.

It's right because it will prevent unintended pregnancies, a goal we all share.

And it's right because it is more cost-effective than other services—including abortions, sterilizations and tubal ligations—that most insurance companies routinely cover.

This is common sense, cost-effective legislation . . . and it is long overdue.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself and Mr. STEVENS):

S. 1404. A bill to amend the Ted Stevens Olympic and Amateur Sports Act; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Mr. President, today, I am joined by Senator STEVENS in introducing the United States Olympic Committee Reform Act of 2003. This legislation is designed to reform the governance structure of the United States Olympic Committee, USOC, in response to a series of embarrassing events that has beset the USOC and threatened the organization's credibility in the eyes of our athletes, the American people, and the international sports community.

While the current mission of the USOC is to ''preserve and promote the Olympic ideal as an effective, positive role model that inspires all Americans,'' turmoil within the organization over the past decade has seriously compromised that mission and has amplified significant problems that exist within its governance structure and culture. By failing to place the organization ahead betrayed the Olympic ideals that they pledged to preserve.

The bill that we are introducing today is the product of three hearings held this year by the Senate Committee on Commerce, Science, and Transportation in response to several USOC scandals and in an effort to help begin reforming the organization. It also is informed by the report of an independent commission requested by the Commerce Committee to review the USOC, and a review by an internal USOC task force, both of which were released last month.

The bill would make significant improvements to the governance structure of the USOC by reducing the size of the current board of directors from

124 to nine members and by creating an assembly of USOC stakeholders. Unlike the current duopolistic leadership structure of the USOC, the board would be the primary governing body of the USOC, and it would appoint a chief executive officer to carry out its policies and run its day-to-day operations. As such, the USOC will become a more efficient and effective organization, as well as one with a more logical and transparent structure.

In addition, the bill would maintain the authority of athletes and national governing bodies in the operation of the USOC, require increased financial transparency, and provide whistleblower protection for USOC employees. Most importantly, however, this bill would streamline the organization to allow a larger percentage of USOC revenues to be dedicated to support amateur athletes. Instead of supporting a large and wasteful corporate structure, the reformed USOC will be able to dedicate fewer resources to a small and more effective governing body.

We must be mindful that the Olympic movement is not about people who attach themselves to the USOC for their own benefit. It is a movement that is driven by athletes who dedicate their bodies and souls to improving their God-given talent with the hope of someday realizing their Olympic dreams. The USOC is an entity entrusted by the American people with the privilege of being the custodian of these dreams. We must act quickly to ensure that the self-serving agendas of individual USOC constituencies are no longer paramount to the common objectives of the organization.

The problems that plague the USOC compromise the organization's ability to operate effectively and efficiently and undermine the credibility of the organization. I believe this bill would provide realistic remedial measures to these problems, and I urge my colleagues to support its expeditious enactment.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Olympic Committee Reform Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) There is a widespread loss of confidence in the United States Olympic Committee.

(2) Restoring confidence in the United States Olympic Committee is critical to achieving the original intent of the Ted Stevens Amateur and Olympic Sports Act.

(3) Confusion exists concerning the primary purposes and priorities of the United States Olympic Committee.

(4) The current governance structure of the United States Olympic Committee is dysfunctional.

(5) The ongoing national corporate governance debate and recent reforms have important implications for the United States Olympic Committee.

(6) There exists no clear line of authority between the United States Olympic Committee volunteers and the United States Olympic Committee paid staff.

(7) There is a widespread perception that the United States Olympic Committee lacks financial transparency.

SEC. 3. AMENDMENT OF TED STEVENS OLYMPIC AND AMATEUR SPORTS ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. 220501 et seq.).

SEC. 4. GOVERNANCE OF THE UNITED STATES OLYMPIC COMMITTEE.

(a) IN GENERAL.—The Act (36 U.S.C. 220501) is amended by adding at the end the following:

''SUBCHAPTER III. GOVERNANCE

''§ 220541. Board of directors

''(a) IN GENERAL.—The board of directors is the governing body of the corporation and shall establish the policies and priorities of the corporation. The board of directors shall have the full authority to manage the affairs of the corporation.

''(b) STRUCTURE OF THE BOARD.—

''(1) IN GENERAL.—The board of directors shall consist of 9 elected members and the ex officio members described in paragraph (3).

''(2) ELECTED MEMBERS.—The elected directors, elected as provided in subsection (g), are—

''(A) 5 independent directors, as defined in the constitution and bylaws of the corporation;

''(B) 2 directors elected from among those nominated by the Athletes' Advisory Council, who at the time of nomination meet the specifications of section 220504(b)(2)(B) of this title; and

''(C) 2 directors elected from among those nominated by the National Governing Bodies' Council.

''(3) EX OFFICIO MEMBERS.—The ex officio members are—

''(A) the speaker of the assembly; and

''(B) the International Olympic Committee member or members from the United States who are required to be ex officio members of the executive organ of the corporation under the terms of the Olympic Charter.

''(c) TERMS OF OFFICE.—

''(1) ELECTED DIRECTORS.—The term of office of an elected director shall be 4 years. An individual elected to replace a director who does not serve a full 4-year term shall be elected initially to serve only the balance of the expired term of the member that director replaces. No director shall be eligible for reelection, except a director whose total period of service, if elected, would not exceed 6 years. The chair of the board shall be eligible to serve an additional 2 years as required to complete his or her term as chair.

''(2) STAGGERED TERMS.—Notwithstanding paragraph (1), of the directors first elected to the board after the date of enactment of the United States Olympic Committee Reform Act—

''(A) 2 of the directors elected under paragraph (2)(A) shall be elected for terms of 2 years;

''(B) 3 of the directors elected under paragraph (2)(A) shall be elected for terms of 4 years;

''(C) 1 of the directors elected under paragraph (2)(B) shall be elected for a term of 2 years;

''(D) 1 of the directors elected under paragraph (2)(B) shall be elected for a term of 4 years;

''(E) 1 of the directors elected under paragraph (2)(C) shall be elected for a term of 2 years; and

''(F) 1 of the directors elected under paragraph (2)(C) shall be elected for a term of 4 years.

''(3) EX OFFICIO MEMBERS.—The speaker of the assembly shall serve as a non-voting ex officio member of the board while holding the position of speaker of the assembly. An International Olympic Committee member shall serve as an ex officio member of the board for so long as the member is a member of that Committee.

''(d) VOTING.—

''(1) ELECTED MEMBERS.—Each elected director shall have 1 vote on all matters on which the board votes, consistent with the constitution and bylaws of the corporation.

''(2) EX OFFICIO MEMBERS.—Each voting ex officio member shall have 1 vote on matters on which the ex officio members vote, consistent with the constitution and bylaws of the corporation, and the votes of the ex officio members shall be weighted such that, in the aggregate, the votes of all voting ex officio members are equal to the vote of one elected director.

''(3) TIE VOTES.—In the event of a tie vote of the board, the vote of the chair of the board shall serve to break the tie.

''(4) QUORUM.—The board may not take action in the absence of a quorum, which shall be 7 members, of whom at least 3 shall be members described in subsection (b)(2)(A).

''(e) CHAIR OF THE BOARD.—The board shall elect 1 of the members described in subsection (b)(2) to serve as chair of the board first elected after the date of enactment of the United States Olympic Committee Reform Act. The chair of the board shall preside at all meetings of the board and have such other duties as may be provided in the constitution and bylaws of the corporation. No individual may hold the position of chair of the board for more than 4 years.

''(f) COMMITTEES.—

''(1) IN GENERAL.—The board of directors shall establish the following 4 standing committees:

''(A) The Audit Committee.

''(B) The Compensation Committee.

''(C) The Ethics Committee.

''(D) The Nominating and Governance Committee.

''(2) COMMITTEE MEMBERSHIP.—The Compensation Committee shall consist of 3 board members selected by the board. The Audit Committee, Ethics Committee, and Nominating and Governance Committee shall each consist of—

''(A) 3 board members described in subsection (b)(2)(A), selected by the board;

''(B) 1 board member described in subsection (b)(2)(B), selected by the board; and

''(C) 1 board member described in subsection (b)(2)(C), selected by the board.

''(3) ADDITIONAL COMMITTEES.—The board may establish such additional committees, subcommittees, and task forces as may be necessary or appropriate and for which sufficient funds exist.

''(g) NOMINATION AND ELECTION.—

''(1) IN GENERAL.—The nominating and governance committee shall recommend candidates to the board of directors to fill vacancies on the board as provided in the constitution and bylaws of the corporation. For each vacancy that is to be filled by a nominee of the Athletes' Advisory Council or the National Governing Bodies' Council, the Athletes' Advisory Council or the National Governing Bodies' Council shall recommend 3 individuals to the nominating and governance committee, which shall nominate 1 of

the recommended individuals to the board of directors.

''(2) RECUSAL OF MEMBERS ELIGIBLE FOR RE-ELECTION.—Any member of the nominating and governance committee who is eligible for re-election by virtue of serving for an initial term of less than 2 years shall be recused from participation in the nominating and recommendation process.

''(3) BOARD TO ELECT MEMBERS.—Except as provided in section 4(c)(2) of the United States Olympic Committee Reform Act, the board of directors shall elect directors from the candidates proposed by the nominating and governance committee.

''§ 220542. Assembly

''(a) IN GENERAL.—

''(1) FORUM FUNCTION.—The assembly shall be a forum for all stakeholders of the corporation. The assembly shall have an advisory function only, except as otherwise expressly provided in this chapter.

''(2) VOTING ON MATTERS RELATING TO THE OLYMPIC GAMES.—The assembly shall have the right to vote on, and shall have ultimate authority to decide, matters relating to the Olympic Games. The board of directors shall determine whether a matter is a question relating to the Olympic Games on which the assembly is entitled to vote. The determination of the board shall be final and binding.

''(3) MEETINGS.—The assembly shall convene annually in a meeting open to the public. The board of directors may convene special meetings of the assembly.

''(4) ANNUAL BUDGET.—The board of directors shall establish an annual budget for the assembly, as provided in the constitution and bylaws of the corporation. In establishing the budget, the board of directors shall take into account the interest of the corporation in minimizing the costs associated with the assembly.

''(b) STRUCTURE OF THE ASSEMBLY.—

''(1) IN GENERAL.—The assembly shall consist of—

''(A) representatives of the constituencies of the corporation specified in section 220504 of this title (other than former United States Olympic Committee members);

''(B) the International Olympic Committee's members for the United States; and

''(C) not more than 3 individuals who have represented the United States in an Olympic Games not within the preceding 10 years, selected through a process to be determined by the board of directors in accordance with the constitution and bylaws of the corporation.

''(2) AMATEUR ATHLETE REPRESENTATION.—Amateur athletes shall constitute not less than 20 percent of the membership in the assembly.

''(c) VOTING.—

''(1) REPRESENTATIVES OF THE NATIONAL GOVERNING BODIES.—Representatives of the national governing bodies shall constitute not less than 51 percent of the voting power held in the assembly.

''(2) AMATEUR ATHLETES.—Amateur athletes shall constitute not less than 20 percent of the voting power held in the assembly.

''(d) SPEAKER OF THE ASSEMBLY.—The speaker of the assembly shall be a member of the assembly (who, as a member, is entitled to vote) who is elected by the members of the assembly for a 4-year term. An individual may not serve as speaker for more than 4 years. The speaker shall preside at all meetings of the assembly and serve as a nonvoting ex officio member of the board of directors as provided in section 220541. The speaker shall have no other duties or powers (other than the right to vote), except as may be expressly assigned by the board of directors.

''§ 220543. Chief executive officer

''(a) IN GENERAL.—The corporation shall have a chief executive officer who shall not be a member of the board of directors. The chief executive officer shall be selected by, and shall report to, the board of directors, as provided in the constitution and bylaws of the corporation. The chief executive officer shall be responsible, with board approval, for filling other key senior management positions as provided in the constitution and bylaws of the corporation.

''(b) DUTIES.—The chief executive officer shall, either directly or by delegation—

''(1) manage all staff functions and the day-to-day affairs and business operations of the corporation, including but not limited to relations with international organizations; and

''(2) implement the mission and policies of the corporation, as determined by the Board.

''§ 220544. Whistleblower procedures and protections

''The corporation, through the board of directors, shall establish procedures for—

''(1) the receipt, retention, and treatment of complaints received by the corporation regarding accounting, auditing or ethical matters; and

''(2) the protection against retaliation by any officer, employee, director or member of the corporation against any person who submits such complaints.''.

(b) TRANSITION.—The individuals serving as members of the board of directors of the United States Olympic Committee on the date of enactment of this Act shall continue to serve as the board of directors until a board of directors has been elected under subsection (c)(2) of this section.

(c) INITIAL NOMINATING AND GOVERNANCE COMMITTEE.—

(1) IN GENERAL.—Until the initial board of directors has been elected and taken office, the nominating and governance committee required by section 220541(f) of title 36, United States Code, shall consist of—

(A) 1 individual selected by the Athlete's Advisory Council from among its members;

(B) 1 individual selected by the National Governing Bodies' Council from among its members;

(C) 1 individual selected by the public-sector directors of the United States Olympic Committee from among such directors serving on the date of enactment of this Act;

(D) 1 individual selected by the Independent Commission on Reform of the established by the United States Olympic Committee in March, 2003, from among its members, who shall chair the committee; and

(E) 1 individual selected by the Governance and Ethics Task Force established by the United States Olympic Committee in February, 2003, from among its members.

(2) ELECTION OF NEW BOARD OF DIRECTORS.—The nominating and governance committee established by paragraph (1) shall—

(A) elect an initial board or directors who shall serve for the terms provided in section 220541(c)(2) of title 36, United States Code; and

(B) elect 1 of the members described in section 220541(b)(2)(A) of that title to serve as chair until the terms of the members elected under subparagraph (A) have expired.

(d) CONFORMING AMENDMENTS.—

(1) REPRESENTATION REQUIREMENTS.—Section 220504(b) is amended—

(A) by striking ''representation of—'' and inserting ''representation on its board of directors and in its assembly of—''; and

(B) by striking subparagraph (B) of paragraph (2) and inserting the following:

''(B) ensure that—

''(i) the membership and voting power of such amateur athletes is not less than 20 percent of the membership and voting power of each committee, subcommittee, working group, or other subordinate decision-making group, of the corporation; and

''(ii) the voting power held by members of the board of directors who were nominated by the Athlete's Advisory Council is not less than 20 percent of the total voting power held in the board of directors;''.

(2) CONSTITUTION AND BYLAWS.—Section 220505(a) is amended—

(A) by striking ''bylaws.'' and inserting ''bylaws consistent with this chapter, as determined by the board of directors. The board of directors shall adopt and amend the constitution and bylaws of the corporation, consistent with this chapter.'';

(B) by inserting ''the board of directors proposes and approves by majority vote such an amendment and'' after ''only if''; and

(C) by striking ''publication,'' in paragraph (1) and inserting ''publication and on its website,''.

(3) OMBUDSMAN TO REPORT TO BOARD OF DIRECTORS.—Section 220509(b) is amended—

(A) by inserting ''the board of directors and'' in paragraph (1)(C) after ''report to'';

(B) by striking ''corporation's executive director'' in paragraph (2)(A)(i) and inserting ''board of directors'';

(C) by striking clauses (ii) and (iii) of paragraph (2)(A) and inserting the following:

''(ii) The board of directors shall hire or not hire such person after fully considering the advice and counsel of the Athlete's Advisory Council.'';

(D) by striking ''corporation'' the first place it appears in paragraph (2)(B) and inserting ''board of directors'';

(E) by striking ''to the corporation's executive committee by either the corporation's executive director'' in paragraph (2)(B)(ii) and inserting ''by 1 or more members of the board of directors''; and

(F) by striking ''corporation's executive committee'' in paragraph (2)(B)(iii) and inserting ''board of directors''.

(4) ELIGIBILITY REQUIREMENTS.—Section 220522(a)(4)(B) is amended by striking ''corporation's executive committee'' and inserting ''board of directors''.

(5) CHAPTER ANALYSIS.—The chapter analysis for chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

''SUBCHAPTER III. GOVERNANCE

''220541. Board of directors
''220542. Assembly
''220543. Chief executive officer
''220544. Whistleblower procedures and protections''.

SEC. 5. REPORTS.

Section 220511 is amended—

(1) by striking so much of subsection (a) as precedes paragraph (2) and inserting the following:

''(a) BIENNIAL REPORT.—On or before the first day of June of every other year, the corporation shall transmit simultaneously to the President and to each House of Congress a detailed report of its operations for the preceding 2 years, including—

''(1) annual financial statements—

''(A) audited in accordance with generally accepted accounting principles by an independent certified public accountant; and

''(B) certified by the chief executive officer and the chief financial officer of the corporation as to their accuracy and completeness;'';

(2) by striking ''4-year period;'' in subsection (a)(2) and inserting ''2-year period;''; and

(3) by inserting ''free of charge on its website (or via a similar medium that is widely available to the public), and otherwise'' in subsection (b) after ''persons''.

By Mr. DURBIN (for himself and Mr. FITZGERALD):

S. 1405. A bill to designate the facility of the United States Postal Service located at 514 17th Street Moines, Illinois, as the ''David Bybee Post Office Building''; to the Committee on Governmental Affairs.

Mr. DURBIN. Mr. President, today I am pleased to introduce legislation to name the U.S. Post Office at 514 17th Street in Moline, IL after my friend, David Bybee, who suffered a fatal heart attack last year.

Dave was a hard working and dedicated public servant who served as a National Business Agent for the Chicago Region of the National Association of Letter Carriers for twenty-five years. In 1967, Mr. Bybee became a letter carrier for the Postal Service and after just two years was elected President of Letter Carriers Local 318. Bybee then became the Regional Administrative Assistant for three years and also worked as Secretary to the Illinois State Association of Letter Carriers from 1971 to 1977. Three years later, Bybee was elected the National Business Agent to the National Association of Letter Carriers for the 17,000 members of the Chicago Region. Mr. Bybee held that position and also served as Vice President of the Illinois AFL-CIO until his death on May 31, 2002.

In recognition of his lifetime work on behalf of the letter carriers of Illinois, the local union he first served as President was named the David M. Bybee Branch of the National Association of Letter Carriers in 1992.

Mr. Bybee did not let his busy work schedule interfere with his family life. He was devoted to his wife, Judy, and their two sons, John and Michael. Dave Bybee also found time to serve his community as fire chief of Carbon Cliff, a school board member, and kept active in the Moline Elks Club.

Post offices are often designated in honor of individuals who have made valuable contributions to their community, State, and country. I can think of no more fitting way to permanently and publicly recognize David Bybee's dedication than to name the Moline, IL post office in his honor. It would be a most appropriate way to commemorate his exemplary service to the Moline community and to postal workers across Illinois and the Nation.

By Mr. DORGAN (for himself, Mr. BURNS, Mr. BAUCUS, Mr. JOHNSON, Mr. CRAPO, Mr. DASCHLE, and Mr. CONRAD):

S. 1406. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit the Administrator of the Environmental Protection Agency to register a Canadian pesticide; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DORGAN. Mr. President, today I am reintroducing a bipartisan bill to remedy a long-standing inequity in pesticide pricing between agricultural chemicals sold in Canada and similar use chemicals sold in the United States. This pesticide price disparity has caused an undue cost burden on our American farmers putting them at a distinct disadvantage when competing in the world grain market.

Currently, American and Canadian farmers use the same chemicals on their fields; but they are marketed under different labels and sold at much lower cost north of the border. This bill simply eliminates that inequity by setting up a process that would allow American farmers to access these lower-priced—but substantively identical—pesticides.

This legislation would direct the Environmental Protection Agency, EPA, upon the request of anyone who can comply with the pesticide registration requirements of the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, to register a Canadian pesticide for use in the United States. This registration would take effect if, after analysis by the EPA, the pesticides are of similar use and composition in both countries. The bill also has provisions to allow EPA to delegate portions of the registration process to individual states with EPA having the final authority over the process. This is to conserve the resources of the EPA and at the same time utilize the expertise of State agriculture departments around the country.

The new labels for the chemicals would still be under the strict scrutiny of the Environmental Protection Agency as would their use. This would continue to insure safety in the food supply. Food safety is a top priority for all of us. Chemical safety is a top priority for all of us. This bill keeps those priorities intact.

I have come before the Senate time and again to talk about the hidden inequities of trade. Trade must be fair, and the pricing inequities of Canadian and United States similar use pesticides have been a glaring weakness of the free trade initiative. For far too long, American farmers have watched their neighbors to the north apply pesticides that are used in both countries, used on the same crops, and yet Canadian producers get a price cut.

Our farmers are also concerned that similar use pesticides are being utilized by farmers in Canada to produce wheat, barley, and other agricultural commodities which are subsequently imported and consumed in the United States. They rightfully believe it to be unfair to import commodities produced with agricultural pesticides that are not available to U.S. producers. If commodities grown with the use of these Canadian pesticides are deemed safe enough for import and consumption in the United States, why would we make American producers pay 117 percent to 193 percent more in chemical costs to produce the same crops? The current scenario doesn't make sense.

This bill is not an ending, but a beginning. Hidden trade barriers and schemes riddle the fabric of our trade agreements. We cannot continue to accept trade practices that on the one hand hamstring Americans, and on the other hand, unduly promote our competitors. We cannot allow our competitors to sell us commodities treated with lower priced chemicals that are used both in Canada and the United States, tell our consumers that the chemicals used on those commodities are perfectly safe, and yet not give our producers access to those same chemicals at a lower price. This is a classic example of free trade gone bad.

We ought not accept second best all of the time, and this bill is a step in bringing American producers back to a level playing field.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REGISTRATION OF CANADIAN PESTICIDES.

(a) IN GENERAL.—Section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a) is amended by adding at the end the following:

''(i) REGISTRATION OF CANADIAN PESTICIDES.—

''(1) DEFINITIONS.—In this subsection:

''(A) CANADIAN PESTICIDE.—The term 'Canadian pesticide' means a pesticide that—

''(i) is registered for use as a pesticide in Canada;

''(ii) is identical or substantially similar in its composition to a comparable domestic pesticide registered under this section; and

''(iii) is registered in Canada by the registrant of the comparable domestic pesticide or by an affiliated entity of the registrant.

''(B) COMPARABLE DOMESTIC PESTICIDE.—The term 'comparable domestic pesticide' means a pesticide—

''(i) that is registered under this section;

''(ii) the registration of which is not under suspension;

''(iii) that is not subject to—

''(I) a notice of intent to cancel or suspend under any provision of this Act;

''(II) a notice for voluntary cancellation under section 6(f); or

''(III) an enforcement action under any provision of this Act;

''(iv) that is used as the basis for comparison for the determinations required under paragraph (4);

''(v) that is registered for use on each site of application for which registration is sought under this subsection;

''(vi) for which no use is the subject of a pending interim administrative review under subsection (c)(8);

''(vii) that is not subject to any limitation on production or sale agreed to by the Administrator and the registrant or imposed by the Administrator for risk mitigation purposes; and

''(viii) that is not classified as a restricted use pesticide under subsection (d).

''(2) AUTHORITY TO REGISTER CANADIAN PESTICIDES.—

''(A) IN GENERAL.—The Administrator may register a Canadian pesticide if the registration—

''(i) complies with this subsection;

''(ii) is consistent with this Act; and

''(iii) has not previously been disapproved by the Administrator.

''(B) PRODUCTION OF ANOTHER PESTICIDE.—A pesticide registered under this subsection shall not be used to produce a pesticide registered under this section or section 24(c).

''(C) REGISTRANT.—

''(i) IN GENERAL.—The Administrator may register a Canadian pesticide under this subsection on the application of any person.

''(ii) APPLICATION.—If the Administrator registers a Canadian pesticide under this subsection on application of any person, the applicant shall be considered to be the registrant of the Canadian pesticide for all purposes of this Act.

''(D) ADMINISTRATOR.—Not later than 60 days after a person submits a complete application for the registration of a Canadian pesticide under this subsection, the Administrator shall—

''(i) approve the application; or

''(ii)(I) disapprove the application; and

''(II) provide the applicant with a statement of the reasons for the disapproval.

''(E) DELEGATION.—

''(i) IN GENERAL.—Subject to clause (ii), the Administrator may delegate a function of the Administrator under this subsection.

''(ii) APPROVAL.—The Administrator shall approve or disapprove any final action taken under this subsection as the result of a function delegated to a State.

''(3) APPLICANT REQUIREMENTS.—A person seeking registration of a Canadian pesticide under this subsection shall—

''(A) demonstrate to the Administrator that the Canadian pesticide is identical or substantially similar in its composition to a comparable domestic pesticide; and

''(B) submit to the Administrator a copy of—

''(i) the label approved by the Pesticide Management Regulatory Agency for the Canadian pesticide; and

''(ii) the label approved by the Administrator for the comparable domestic pesticide.

''(4) CRITERIA FOR REGISTRATION.—The Administrator may register a Canadian pesticide under this subsection if the Administrator—

''(A) obtains the confidential statement of formula for the Canadian pesticide;

''(B) determines that the Canadian pesticide is identical or substantially similar in composition to a comparable domestic pesticide;

''(C) for each food or feed use authorized by the registration—

''(i) determines that there exists an adequate tolerance or exemption under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) that permits the residues of the pesticide on the food or feed; and

''(ii) identifies the tolerances or exemptions in the notification submitted under subparagraph (E);

''(D) obtains a label approved by the Administrator that—

''(i) includes all statements, other than the establishment number, from the approved labeling of the comparable domestic pesticide that are relevant to the uses registered by the Administrator; and

''(ii) excludes all labeling statements relating to uses that are not registered by the Administrator; and

''(E) not later than 10 business days after the issuance of the registration, publish in the Federal Register a written notification of the action of the Administrator that includes—

''(i) a description of the determination made under this paragraph; and

''(ii) a statement of the effective date of the registration;

''(5) LABELING OF CANADIAN PESTICIDES.—

''(A) IN GENERAL.—Each container containing a Canadian pesticide registered by the Administrator shall bear the label that is approved by the Administrator under this subsection.

''(B) DISPLAY OF LABEL.—The label shall be securely attached to the container and shall be the only label visible on the container.

''(C) ORIGINAL CANADIAN LABEL.—The original Canadian label on the container shall be preserved underneath the label approved by the Administrator.

''(D) PREPARATION AND USE OF LABELS.—After a Canadian pesticide is registered under this subsection, the registrant shall—

''(i) prepare labels approved by the Administrator for the Canadian pesticide; and

''(ii) conduct or supervise all labeling of the Canadian pesticide with the approved labeling.

''(E) REGISTERED ESTABLISHMENTS.—Labeling of a Canadian pesticide under this subsection shall be conducted at an establishment registered by the registrant under section 7.

''(6) REVOCATION.—

''(A) IN GENERAL.—After the registration of a Canadian pesticide, if the Administrator finds that the Canadian pesticide is not identical or substantially similar in composition to a comparable domestic pesticide, the Administrator may issue an emergency order revoking the registration of the Canadian pesticide.

''(B) TERMS OF ORDER.—The order—

''(i) shall be effective immediately;

''(ii) may prohibit the sale, distribution, and use of the Canadian pesticide in a State; and

''(iii) may require the registrant of the Canadian pesticide to purchase and dispose of any unopened product subject to the order.

''(C) REQUEST FOR HEARING.—Not later than 10 days after issuance of the order, the registrant of the Canadian pesticide subject to the order may request a hearing on the order.

''(D) FINAL ORDER.—If a hearing is not requested in accordance with subparagraph (C), the order shall become final and shall not be subject to judicial review.

''(E) JUDICIAL REVIEW.—If a hearing is requested on the order, judicial review may be sought only at the conclusion of the hearing on the order and following the issuance by the Administrator of a final revocation order.

''(F) PROCEDURE.—A final revocation order issued following a hearing shall be reviewable in accordance with section 16.

''(7) LIMITS ON LIABILITY.—No action for monetary damages may be heard in any Federal or State court against—

''(A) the Administrator acting as a registering agency under the authority of and consistent with this subsection for injury or damage resulting from the use of a product registered by the Administrator under this subsection; or

''(B) a registrant for damages resulting from adulteration or compositional alteration of a Canadian pesticide registered under this subsection if the registrant did not have and could not reasonably have obtained knowledge of the adulteration or compositional alteration.

''(8) PROVISION OF INFORMATION BY REGISTRANTS OF COMPARABLE DOMESTIC PESTICIDES.—

''(A) IN GENERAL.—On request by the Administrator the registrant of a comparable domestic pesticide shall provide to the Administrator that is seeking to register a Canadian pesticide under this subsection information that is necessary for the Administrator to make the determinations required by paragraph (4).

''(B) PENALTY FOR NONCOMPLIANCE.—

''(i) IN GENERAL.—If the registrant of a comparable domestic pesticide fails to provide to the Administrator, not later than 15 days after receipt of a written request by the Administrator, information possessed by or reasonably accessible to the registrant that is necessary to make the determinations required by paragraph (4), the Administrator may assess a penalty against the registrant of the comparable pesticide.

''(ii) AMOUNT.—The amount of the penalty shall be equal to the product obtained by multiplying—

''(I) the difference between the per-acre cost of the application of the comparable domestic pesticide and the application of the Canadian pesticide, as determined by the Administrator; and

''(II) the number of acres in the United States devoted to the commodity for which the registration is sought.

''(C) NOTICE AND OPPORTUNITY FOR HEARING.—No penalty under this paragraph shall be assessed unless the registrant is given notice and opportunity for a hearing in accordance with section 14(a)(3).

''(D) ISSUES AT HEARING.—The only issues for resolution at the hearing shall be—

''(i) whether the registrant of the comparable domestic pesticide failed to timely provide to the Administrator the information possessed by or reasonably accessible to the registrant that was necessary to make the determinations required by paragraph (4); and

''(ii) the amount of the penalty.

''(9) PENALTY FOR DISCLOSURE.—

''(A) IN GENERAL.—The Administrator shall not make public information obtained under paragraph (8) that is privileged and confidential and contains or relates to trade secrets or commercial or financial information.

''(B) DISCLOSURE.—Any employee of the Environmental Protection Agency who willfully discloses information described in subparagraph (A) shall be subject to penalties described in section 10(f).

''(10) DATA COMPENSATION.—The Administrator and a person registering a Canadian pesticide under this subsection shall not be liable for compensation for data supporting the registration if the registration of the Canadian pesticide in Canada and the registration of the comparable domestic pesticide are held by the same registrant or by affiliated entities.

''(11) FORMULATION CHANGES.—

''(A) IN GENERAL.—The registrant of a comparable domestic pesticide shall notify the Administrator of any change in the formulation of a comparable domestic pesticide or a Canadian pesticide registered by the registrant or an affiliated entity not later than 30 days before any sale or distribution of the pesticide containing the new formulation.

''(B) STATEMENT OF FORMULA.—The registrant of the comparable domestic pesticide shall submit, with the notice required under subparagraph (A), a confidential statement of the formula for the new formulation if the registrant has possession of or reasonable access to the information.

''(C) SUSPENSION OF REGISTRATION FOR NONCOMPLIANCE.—

''(i) IN GENERAL.—If the registrant fails to provide notice or submit a confidential statement of formula as required by this paragraph, the Administrator may issue a notice of intent to suspend the registration of the comparable domestic pesticide for a period of not less than 1 year.

''(ii) EFFECTIVE DATE.—The suspension shall become final not later than the end of the 30-day period beginning on the date of the issuance by the Administrator of the notice of intent to suspend the registration, unless during the period the registrant requests a hearing.

''(iii) HEARING PROCEDURE.—If a hearing is requested, the hearing shall be conducted in accordance with section 6(d).

''(iv) ISSUES.—The only issues for resolution at the hearing shall be whether the registrant has failed to provide notice or submit a confidential statement of formula as required by this paragraph.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by adding at the end of the items relating to section 3 the following:

''(4) Mixtures of nitrogen stabilizers and fertilizer products.
''(g) Registration review.
''(h) Registration requirements for antimicrobial pesticides.
''(1) Evaluation of process.
''(2) Review time period reduction goal.
''(3) Implementation.
''(4) Annual report.
''(i) Registration of Canadian pesticides.
''(1) Definitions.
''(2) Authority to register Canadian pesticides.
''(3) Applicant requirements.
''(4) Criteria for registration.
''(5) Labeling of Canadian pesticides.
''(6) Revocation.
''(7) Limits on liability.
''(8) Provision of information by registrants of comparable domestic pesticides.
''(9) Penalty for disclosure.
''(10) Data compensation.
''(11) Formulation changes.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect 180 days after the date of enactment of this Act.

By Mr. GRAHAM of South Carolina (for himself, Mr. REID, and Mr. MILLER):

S. 1408. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Finance.

Mr. GRAHAM of South Carolina. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESTORATION OF DEDUCTION FOR TRAVEL EXPENSES OF SPOUSE, ETC. ACCOMPANYING TAXPAYER ON BUSINESS TRAVEL.

(a) IN GENERAL.—Subsection (m) of section 274 of the Internal Revenue Code of 1986 (relating to additional limitations on travel expenses) is amended by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1409. A bill to provide funding for infrastructure investment to restore the United States economy and to enhance the security of transportation and environmental facilities throughout the United States; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the ''Rebuild America Act of 2003,'' a bill to improve our national transportation and water infrastructure and to stimulate economic growth.

This bill promises to do what the latest tax cut will not: provide an immediate economic stimulus without increasing the Federal budget deficit. Whereas the President's economic advisors have said that the latest tax cut will create 1.4 million jobs by the end of 2004, at a cost of $350 billion, this bill will create as many as 2 million jobs at a tenth the cost.

These jobs could be created in as little as three months, as the bill is specifically designed to fund transportation and water infrastructure projects which are ready to go within 90 days.

Not only would those jobs bring some of the 9 million Americans who are unemployed and seeking jobs back into the workforce, it would generate long-term economic benefits from the increased productivity of our transportation infrastructure.

This bill will do more to stimulate the economy at less cost than the tax cut because it is directed squarely at our most urgent needs. Unlike the recent tax cut, which largely benefits high income taxpayers who are likely to save any windfall they receive, infrastructure spending is necessarily injected into the economy.

According to the Department of Transportation, each $1 billion in new infrastructure investment creates 47,500 new jobs: 26,500 direct jobs for construction workers, engineers, contractors, and other on-site employees, and 21,000 indirect jobs resulting from the spending associated with the investment.

These are jobs our economy desperately needs, particularly in the transportation and nonresidential construction sectors, which have been hit hard by the recent downturn. While new home construction has sustained the homebuilding trades, there are now 715,000 unemployed private construction workers, most of whom were laid off due to a downturn in nonresidential building. That represents an 80 percent increase from three years ago.

As anyone who has taken a hard look at our transportation needs can attest, federal funding for highways, transit, aviation, high-speed rail, and ports, among other areas, remains inadequate.

Without those funds, we are on the verge of falling behind the rest of the developed world in the quality of our infrastructure. I recently visited the port of Hong Kong and was amazed by the automated technology used to process thousands of containers each day with fewer employees than would be required to move an equivalent amount of cargo at even our most advanced ports.

And while many countries around the world, including France, China, Germany, and Japan, now have operating MAGLEV train systems, the United States does not have a single demonstration MAGLEV line operating anywhere in the country.

Increasingly, global industry demands a level of efficiency and reliability which requires substantial upgrades to existing infrastructure. In California, where computer and electronic products account for 51 percent of the State's manufacturing exports, the trend is toward lighter, higher value shipments. Nationwide, shipments of below 1,000 lbs accounted for 18 percent of total value in 1977, and 32 percent of value in 1997, a dramatic increase.

Those changes put a premium on speed and reliability, without which ''just-in-time'' manufacturing and lean inventory controls are impossible. A company such as Hewlett Packard, which uses Intel processors made in California in servers which it assembles in Texas, must be able to ship processors without risk of even a 24-hour delay.

This bill takes a big step toward ensuring that level of speed and reliability by dedicating $50 billion to infrastructure upgrades. And I must stress the huge incremental value of that spending in the context of reauthorization of the Transportation Equity Act for the 21st Century, TEA–21, which is expected this year.

Reauthorization of TEA–21 will dedicate more than $250 billion toward transportation projects over the next six years, but even that level of funding will only allow us to tread water. Maintenance of existing infrastructure will consume much of that spending.

To take one example, the Department of Transportation estimates that $20.6 billion is needed annually to maintain and improve performance of public transit systems alone.

The $50 billion provided by the ''Rebuild America Act'' will go beyond current maintenance and actually improve overall productivity by allowing substantial upgrades to go forward. Specifically, the bill provides:

$5 billion in additional authority for Federal-aid highway capital investments, drawn from the $19 billion surplus in the Highway Trust Fund.

$3 billion in transit capital and operating grants, drawn from the surplus in the Highway Trust Fund.

$3 billion in airport development projects, including $2 billion in airport improvement program grants to enhance airport safety, efficiency, and capacity.

$14 billion of tax-credit high-speed rail bonds for infrastructure construction and the acquisition of rolling stock.

$7.5 billion for capital investment in passenger and freight rail, including $2.5 billion for Amtrak.

$2.5 billion for port security grants to ports and marine facility operators.

$11.5 billion for wastewater and drinking water infrastructure, to be administered

through the existing Clean Water State Revolving Fund and Safe Drinking Water State Revolving Fund.

$1.5 billion to fund investment in currently authorized water resources infrastructure projects.

$1.5 billion in grants to economically distressed communities for economic development.

$500 million for the repair and alteration of Federal buildings.

In my home State of California, the infrastructure needs that could be addressed by this bill are particularly great. Although the just-completed BART link to San Francisco International Airport is a major achievement, we still remain a long way off from the long-term goal of ringing the Bay Area with BART stations.

And despite the recent economic downturn, California's economy remains the engine of much of the country's economic growth, and California's population continues to grow. That puts tremendous demands on our roads, airports, and transit systems, and is one reason why Los Angeles and the San Francisco Bay Area are consistently ranked as the top two urban areas in the U.S. with the longest annual delays per rush-hour driver.

This bill will provide a total of $1.8 billion in new funds for California transportation and safe drinking water infrastructure, and more than $1.5 billion more for high speed and passenger and freight rail. All told, the bill will create well over 100,000 new jobs in California.

That could bring us farther toward fulfilling one of California's most urgent needs, a high speed rail link from the Bay Area all the way south to San Diego. Without high speed rail there is little hope of taking some of the pressure off of California's over-burdened highways and airports.

In addition to the transportation improvements contemplated by the bill, I would like to say a few words about the need for additional funds for port security and clean drinking water.

Since the attacks of September 11 it has become clear that our ports should be one of the first lines of defense against attempts to bring weapons of mass destruction into this country. And yet the funds we have dedicated to securing our ports have been woefully inadequate.

Last year I introduced comprehensive legislation to improve security at our ports, and to inspect more of the 16 million containers which come through those ports each year. Currently, only one to two percent of those containers are inspected, and the possibility of a dirty bomb or nuclear device being shipped in via container remains alarmingly real.

This bill provides an additional $2.5 billion for port security, which would go some of the way toward meeting the $6 billion in expenses the Coast Guard anticipates over the next 10 years for ports to comply with security standards imposed under the Maritime Transportation Security Act.

With respect to clean drinking water, a very different, but equally important, priority, this bill provides $11.5 billion for wastewater and drinking water infrastructure investment. That funding is important because the Administration continues to insist on funding cuts for the Clean Water and Safe Drinking Water State Revolving Funds.

Even level funding will not allow us to upgrade existing water treatment facilities, many of which were built in the 1970s, when the federal government first began to take a major role in the construction of drinking water infrastructure. Many of those facilities will require substantial improvements and overhauls over the next two decades as pipes and equipment fall into disrepair.

In the West, the magnitude of water supply contamination by perchlorate, a chemical used in rocket fuel, has only recently become apparent. The costs of cleaning up perchlorate in California alone will likely stretch into the billions of dollars, and some of those funds must come from the Safe Drinking Water State Revolving Fund, which would receive $1.5 billion under this bill.

With the Federal budget deficit certain to top $400 billion this year, and with the gross federal debt projected to increase by over $5 trillion by 2013, there is a real question as to where these funds will come from.

I am glad to say, therefore, that this bill is fully offset and would not add at all to our deficit. The bill uses three offsets to recoup the $34 billion cost of the bill, two of which are designed to limit corporate fraud, and the last of which extends customs user fees.

The bulk of the funds used to offset the bill are generated by limiting the ability of large corporations to shelter income from taxation. A recent report by the Joint Economic Committee on corporate fraud at the Enron Corporation speaks to the magnitude of this problem.

For several years Enron reported huge profits to its shareholders, while reporting little or no taxable income to the IRS. We now know that Enron executives treated their tax division as a for-profit entity within the company and set annual revenue targets for the division.

Between 1996 and 1999, Enron reported aggregate profits of $2.1 billion on its income statement, while claiming aggregate losses, for tax purposes, of $3 billion. Some of that gap can be explained by the massive tax deductions Enron took for employee stock deductions, and the rest stemmed from the closely guarded tax-shelter transactions designed for the company by banks, accountants, and legal firms.

This bill closes those Enron-specific loopholes, but also strengthens a very simple provision which will have a big impact on shutting down future loopholes.

The so-called ''Economic Substance Doctrine'' imposed by the bill states that any transaction which has no material economic impact on the business of the company, but which is purely designed for the purpose of tax avoidance, shall be disallowed for tax purposes.

That will allow enhance the ability of tax courts to crack down on companies that engage in off balance sheet transactions, artificial income shifting, uneconomic financing transactions, and other tax avoidance schemes which are not designed to provide any profit to the company beyond a tax savings.

In the same vein, the bill puts an end to the practice of setting up corporate headquarters offshore in order to avoid corporate taxes at home. This practice is not only blatantly unpatriotic, but also creates an imbalanced playing field for companies that abide by the spirit of the law but are forced to compete with firms that don't.

This bill will require such corporate expatriates to continue to pay U.S. taxes even if they move abroad. All told, these provisions fully offset the cost of the infrastructure improvements included in the bill.

Just about any American you talk to will tell you that our economy is not in good shape. A quick look at the front page of newspapers shows that our stock markets remain well below their 2000 high, that more people face long-term unemployment than at any time in the past two decades, and that businesses are not making new investments.

The tax cut which was recently signed into law is the wrong medicine for our economy, and will do little to reverse our current course. In fact, it may well increase uncertainty and act as a long-term drag on the economy by increasing the federal debt and putting pressure on long-term interest rates.

I urge my colleagues to support this bill as a much better means of stimulating economic growth, and one which will pay long-term dividends in terms of improved roads, railways, and water treatment facilities.

Rather than simply hand down a burden of debt to our children and grandchildren, this bill would create a lasting legacy of modern infrastructure for their benefit.

By Mr. HARKIN (for himself, Mr. HATCH, Mr. INOUYE, Mr. GRASSLEY, and Mr. DASCHLE):

S. 1410. A bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President. Today, I am introducing legislation called, ''The Access to Medical Treatment Act, AMTA'', on behalf of myself and my colleagues, Senators HATCH, INOUYE, GRASSLEY, and DASCHLE.

This legislation is important for thousands of Americans who suffer from illness or disease for which conventional medical treatments offer little or no promise of cure or relief.

Many Americans are plagued with the hopelessness of debilitating pain caused by illness. For some of these patients, non-conventional treatments could offer much needed relief. Thousands of other Americans live with potentially fatal diseases that are unresponsive to traditional medical treatments. Increasing the options for treatment by utilizing unconventional therapy could provide newfound hope for lifesaving results.

AMTA addresses limits placed on unconventional medical care and would allow Americans access to many promising, even proven, treatments that are currently restricted. For example, the bill would lift some restrictions on treatments that have been approved and used in other countries. The bill would also allow access for many additional patients to drugs or therapies otherwise available through the Food and Drug Administration, FDA, human clinical trials.

This legislation establishes parameters for the use of such non-conventional therapies. A health care practitioner may provide the medical treatment requested by a patient under certain guidelines. First, the health care practitioner must personally examine the patient, the treatment must be within the practitioner's appropriate range of practice, it must not violate any existing licensing laws, and the treatment must comply with the Controlled Substances Act. Next, there must be no reason for the practitioner to conclude that the treatment will cause danger to the patient. The patient must be informed, in writing, of the contents and methods of treatment, its possible side effects, anticipated benefits, results of prior use of treatment on other patients, and any other information necessary to fully meet the requirements for informed consent of human subjects in FDA regulations.

I believe we have some of the best medicine, technology, and health care providers in the United States. However, there are vast amounts of information yet to be learned on disease and treatment. We must not allow ourselves to be exclusively, perhaps, myopically, focused on traditional forms of treatment when some Americans find no relief from them. Those with debilitating pain and disease should have access to new options for relief, especially when conventional treatments fail.

We owe it to the American people to engage in this crucial discussion on access to non-conventional forms of medical treatments. There are many questions that need to be addressed. We must begin to address them by exploring the new and innovative forms of therapy that exist, and by engaging in an educated dialogue on this issue.

By Mr. KERRY (for himself and Mr. CHAFEE):

S. 1411. A bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable housing for low-income families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KERRY. Mr. President, our Nation is facing an affordable housing crisis. Recent changes in the housing market have limited the availability of affordable rental housing across the country and have dramatically increased the cost of those that remain. More families are forced to pay more than 50 percent of their income for housing at a time when Federal spending on housing programs are under attack. That is why, along with Senator CHAFEE, I am again proposing to address the severe shortage of affordable housing by introducing legislation that will establish a National Affordable Housing Trust Fund and begin a rental housing production program.

The Affordable Housing Trust Fund that is established in this legislation would create a production program that will ensure 1.5 million new rental units are built over the next 10 years for extremely low-income families and working families. The goal is to create long-term affordable, mixed-income developments in areas with the greatest opportunities for low-income families. Seventy-five percent of Trust Fund assistance will be awarded, based on need, through matching grants to States and local jurisdictions. The States and local jurisdictions will allocate funds on a competitive basis to projects that meet Federal requirements, such as mixed-income projects and long-term affordability, and that address local needs. The remainder of the funding will be competitively awarded by the Department of Housing and Urban Development, HUD, to intermediaries, such as the Enterprise Foundation, which will be required to leverage private funds. A portion of the Trust Fund will be used to promote home ownership activities for low-income Americans.

The Trust Fund would be paid for out of surplus revenue generated by the Federal Housing Administration and Government National Mortgage Administration after ensuring their fiscal safety and soundness. These Federal housing programs generate billions of dollars in excess income, which currently goes to the general Treasury for use on other Federal priorities. It is time to stop taking housing money out of housing programs. These excess funds should be used to help alleviate the current housing crisis. According to current projections, approximately $28 billion will be available for the Trust Fund between now and 2008.

The need for affordable housing is severe. Many working families have been unable to keep up with the increase in housing costs. Today, for many low-income families and their children, the cost of privately owned rental housing is simply out of reach. According to the National Housing Conference, more than 14 million families spent over half of their income on housing in 2001. Today, working families in this country increasingly find themselves unable to afford housing. A person trying to live in Boston would have to make more than $35,000 annually, just to afford a two-bedroom apartment. This means teachers, janitors, social workers, police officers and other full-time workers may have trouble affording even a modest two-bedroom apartment.

The cost of rental housing keeps going up. According to the Consumer Price Index, CPI, contract rents began to rise above the rate of inflation in 1997 and have continued every year since. Rental costs have outpaced renter income gains for households across the board. Low wage workers have been hardest hit by the increase in cost of rental housing.

Because of the lack of affordable housing, too many families are forced to live in substandard living conditions putting their children at risk. Children living in substandard housing are more likely to experience violence, hunger, lead poisoning and to suffer from infectious diseases such as asthma. They are more likely to have difficulties learning and more likely to fall behind in school. Our Nation's children depend upon access to affordable rental housing.

At the same time the cost of rental housing has been increasing, there has been a significant decrease in affordable rental housing units. More than 1.8 million affordable housing units have been demolished over the past decade. Making matters worse, many current affordable housing providers are deciding to opt-out of their Section 8 contracts or are prepaying their HUD-insured mortgages. These decisions have further limited the availability of affordable housing across the country. Many more providers will be able to opt-out of their Section 8 contracts in the next few years, further limiting the availability of affordable housing in our nation. The current decline has already forced many working families eligible for Section 8 vouchers in Boston to live outside the city because there are no available rental housing units which accept vouchers.

The loss of affordable housing has exacerbated the housing crisis in this country, and the Federal Government must take action. We have the resources, yet we are not devoting these resources to fix the problem. Despite the fact that more families are unable to afford housing and there are fewer affordable rental housing units, we have decreased Federal spending on critical housing programs. Between 1978 and 1995, the number of households receiving Federal housing assistance was increased by almost 3 million. From 1978 through 1984, an additional 230,000 families received Federal housing assistance each year. This number dropped significantly to 126,000 additional households each year from 1985 through 1995.

In 1996, this nation's housing policy went all the way back to square one—not only was there no increase in families receiving housing assistance, but the number of assisted units actually decreased. From 1996 to 1998, the number of HUD assisted households dropped by 51,000.

During this time of rising rents, increased housing costs, and the loss of affordable housing units, it is incomprehensible that we are not doing more to increase the amount of housing assistance available to working families. Yet in the face of these critical housing problems and the effect it has on our children, the Bush Administration is working to dismantle many federal programs that help Americans find affordable housing. The Bush Administration has proposed to block grant the Section 8 Voucher program, which I believe will reduce the number of families with children eligible for Federal housing assistance and increase housing costs for those families who remain. A recent Center on Budget and Policy Priorities study that shows President Bush's fiscal year 2004 budget request is inadequate to fund all Section 8 housing vouchers needed in fiscal year 2004. Specifically, the lack of funding in the voucher program request means that approximately 184,000 vouchers now in use serving low-income families will not be funded. In Massachusetts, this would mean a reduction of more than 6,000 vouchers or nearly ten percent of the vouchers projected to be in use in October 2003. If the President's request is enacted into law, the Center on Budget and Policy Priorities believes that it is likely that some families that now rely on vouchers to help pay their rent will lose assistance, placing these families at high risk of eviction and, in some cases, homelessness. President Bush's fiscal year 2004 budget request also proposes cutting an additional $2.45 billion from existing housing programs and eliminating the HOPE VI program, which has helped revitalize neighborhoods around the country. These cuts come on top of an earlier Bush Administration action to abolish the Public Housing Drug Elimination Grant program.

The Bush Administration changes in Federal housing programs mean that the Commonwealth of Massachusetts and many other States will likely receive a reduction in Federal housing funds in fiscal year 2004. Almost every State is facing serious budget deficits and are forced to dramatically increase spending on homeland security. Additional funds are not available to make up the decline in Federal spending. The future is even bleaker. These reductions at HUD follow the enactment of two separate tax cuts, which primarily benefit the wealthiest in our society, that will make it almost impossible for any significant increases in the HUD's budget over the next decade. We need to bring housing resources back to where they belong. The National Affordable Housing Trust Fund will provide desperately needed funds to begin production of affordable housing in the United States. Enacting the Housing Trust Fund legislation is an important step in the right direction to add resources to housing and to help begin producing housing again.

We can no longer ignore the shortage of affordable housing in America, and the impact it is having on families and children around the country. It is still unclear to me why this lack of housing has not caused more uproar. How many families are to be pushed out of their homes and into the streets, before action is taken. I believe it is time for our nation to take a new path—one that ensures that all Americans, especially our children, has the opportunity to live in decent, affordable and safe housing. Everyone knows that decent housing, along with neighborhood and living environment, play enormous roles in shaping young lives. Federal housing assistance, has assisted millions of low-income children across the nation and has helped develop stable home environments. However, too many children still live in families that have substandard housing or are homeless. These children are less likely to do well in school and less likely to be productive citizens. Because of the positive effect that this legislation would have on America's children, the Trust Fund was included in the Act to Leave No Child Behind, a comprehensive proposal by the Children's Defense Fund to assist in the development of our nation's children.

I urge you to support this legislation to restore our commitment to provide affordable housing for all families. We can no longer turn our backs on those who struggle every day just to put a roof over their family's head.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 1412. A bill to suspend the implementation of the revised definitions of Metropolitan Statistical Areas applicable to Kent, Ottawa, Muskegon, and Allegan Counties in the State of Michigan; to the Committee on Governmental Affairs.

Ms. STABENOW. Mr. President, I rise today to introduce legislation along with Mr. LEVIN, that would stop the implementation of a new Metropolitan Statistical Area, MSA, in the Michigan counties of Kent, Ottawa, Muskegon, and Allegan, KOMA.

On June 6, 2003, the Office of Management and Budget issued its Bulletin No. 03–04 on Revised Definition of Metropolitan Statistical Areas, New Definitions of Micropolitan Statistical Areas, and Combined Statistical Areas, and Guidance on the Use of the Statistical Definitions in These Areas.

This bulletin finalizes a process that began with the last census. Statistical areas, as explained by the OMB, are designed solely for statistical purposes. As stated in the bulletin, they are designed to ''provide nationally consistent definitions in collecting, tabulating, and publishing Federal statistics for a set of geographic areas.'' The problem is that the are used for much more than that. They are principal tool for allocating Federal dollars. And, although OMB recognizes this, it will ''not take into account or attempt to anticipate any nonstatistical uses that may be made of the MSAs.''

This is a serious problem. On one hand, we are implementing new MSAs to serve basic statistical purposes. On the other hand, these new MSAs are critical for the allocation of Federal money and OMB does not consider, in the least bit, how these new MSAs may negatively or positively affect communities. It is easy for OMB staff to say that their hands are tied by rules and strict methodologies, but this is not about number-crunching. This is about real dollars for Michigan.

I have heard from numerous constituents in West Michigan who are concerned about how these new statistical, designations will affect Medicaid and Medicare payments, Housing and Urban Development grants, Community Development Block Grants, and other important programs in Michigan. I share these concerns and want to make sure that we do not allow a new system of Federal dollar allocations to come into effect that would hurt West Michigan. We need time to study the impact of the new MSAs. That is why I am offering legislation to stay the implementation of the new West Michigan MSAs until October 1, 2004, leaving the current Kent-Ottawa-Muskegon-Allegan, KOMA, MSA in place.

The KOMA region has developed a common identity over the last decade. It shares regional challenges such as tourism, transportation networks, environmental protection, and community health. Business leaders have worked hard to market the region as a common community with much to offer potential new businesses and families looking to relocate. I do not want these leaders to lose this marketing tool. By the OMB setting up a new MSA with no consideration of the economic and social integration of the existing MSA, we could see the undermining of a great deal of progress for this part of Michigan.

We, in Congress, should eventually look at this issue of MSAs comprehensively. We should ensure that communities do not have to fact this uncertainty every decade with a new census. We should either ensure that the OMB takes into account economic and other community concerns when creating MSAs or we should make sure that Federal funding allocations are not made through MSAs. Regardless, in the short run, it is essential that the hospitals, the community development organizations, the business leaders, and the social service providers of West Michigan who are raising these concerns with me have time to study the problem and understand the impact of OMB's decision. Once that has been studied, we can work with OMB and

the interested parties to ensure that there is no loss of Federal money to West Michigan.

By Mrs. BOXER:

S. 1413. A bill to authorize appropriations for conservation grants of the Environmental Protection Agency, to direct the Secretary of the Army and the Secretary of the Interior to conduct expedited feasibility studies of certain water projects in the State of California, and for other purposes; to the Committee on Environment and Public Works.

Mrs. BOXER. Mr. President, today I am introducing the California Affordable Quantity and Quality Water Act of 2003, CAL-AQQWA.

Nowhere is the need for a comprehensive water policy that includes innovative recycling and reuse principles more urgently felt than in California. Water agencies and elected officials throughout the State are constantly planning, and struggling, to balance California's agricultural, municipal, industrial and environmental water needs.

This challenge becomes all the more acute in the face of the State's declining Colorado River surplus allocation and growing population. California is facing an annual loss of about 800,000 acre feet from the Colorado River. And population forecasts project an additional 15 million residents in California over the next 20 years.

Unfortunately, funding to pursue and implement much-needed, environmentally beneficial water infrastructure projects is not readily available, and many good water management ideas are left languishing on the shelf. CAL-AQQWA can help move many of these ideas forward and into production.

There are two sections in this bill. The first section authorizes expedited feasibility studies for 22 water projects in California. Funding priority would be given to projects that would provide environmental and other benefits. Costs for these studies would be shared between the local sponsors and the Federal Government.

Studies in this bill explore a variety of innovative water supply strategies, including groundwater recharge; recycled water distribution for landscaping, wetlands restoration, agricultural use, industrial use, and general irrigation; surface water storage alternatives; groundwater storage; desalination; conservation; and groundwater demineralization. If fully implemented, these water projects may provide up to 630,000 acre feet of water per year in California. These additional acre feet would allow local authorities to decrease their dependence on imported water sources.

The second section of this bill increases funding for the Environmental Protection Agency's Conservation Grant programs, including $2 billion in fiscal year 2004 for the drinking water state revolving loan program. EPA conservation grants provide funding for measures that include: urban conservation, low-flow toilets, water meter installation or retrofit, desalination projects, wastewater treatment system upgrades for compliance with Clean Water Act requirements, and groundwater recharge facilities projects.

Water agencies and local officials throughout California are constantly struggling to meet all of our state's water needs. My hope is that this legislation will bring us closer to meeting the challenges facing our growing population by studying and expanding the proven benefits of water conservation and recycling.

Let me conclude by noting that seven of the studies in the bill would be conducted by the Army Corps of Engineers. I support moving forward with additional Corps studies. But I also recognize we need to reform the Corps. As part of any reform effort for the Corps, I would like to see that costly or controversial Corps projects be subject to independent review; that any environmental harm caused by Corps projects be fully mitigated in a timely manner; that the public will have access to the information necessary to fully participate in the Corps' planning process; that the Corps' procedures for determining project costs and benefits will be modernized; and that Corps projects will be designed and operated in a manner that protects our precious natural resources.

I encourage my colleagues to take a close look at this bill, and I ask for their support.

By Mr. HATCH (for himself, Mr. MILLER, Mrs. HUTCHISON, Mr. CRAIG, Mr. CORNYN, Mr. SESSIONS, Mr. DOMENICI, Mr. CHAMBLISS, Mr. BURNS, Mr. SUNUNU, Mr. ENZI, Mr. BUNNING, Mr. ALLEN, Mr. STEVENS, Mr. CAMPBELL, Mr. GRASSLEY, Mr. THOMAS, Mr. GRAHAM of South Carolina, and Mr. CRAPO):

S. 1414. A bill to restore second amendment rights in the District of Columbia; to the Committee on Governmental Affairs.

Mr. HATCH. Mr. President, I rise today to introduce the District of Columbia Personal Protection Act. This is an extremely important piece of legislation. Most importantly, this bill goes a long way toward restoring the constitutionally guaranteed right of Americans who reside in the District of Columbia to possess firearms.

It is no secret that the District of Columbia, our great Nation's Capital, suffers from the most startling violent crime rates in the country. It has the highest, the absolute highest, murder rate per capita in the country. According to the Bureau of Justice Statistics, and despite the most stringent gun control laws in the country, in 8 out of the 9 years between 1994 and 2002, Washington DC had the highest murder rate in the country. In fact, the results are in for 2002, and unfortunately they continue to paint a grim picture. The District of Columbia has again reclaimed its rather unenviable title as the ''Murder Capital of the United States''.

It is time, to restore the rights of law-abiding citizens to protect themselves and to defend their families against murderous predators. All to often, we read in the paper about yet another vicious murder carried out against an innocent District of Columbia resident. Try to imagine the horror that the victim felt when he faced a gun-toting criminal and could not legally reach for a firearm to protect himself. We must act now to stop the carnage and put law-abiding citizens in a position to exercise their right to self defense. It is time to tell the citizens of the District of Columbia that the Second Amendment of the Constitution applies to them, and not only to their fellow Americans in the rest of the country. The District of Columbia Personal Protection Act would do exactly that.

Let me take a moment to highlight what this legislation would do. This bill would: 1. permit law-abiding citizens to possess handguns and rifles in their homes and businesses; 2. repeal the registration requirements for firearms and ammunition; 3. eliminate criminal penalties for possession and carrying of firearms in their homes and businesses; and 4. correct an erroneous provision which wrongly treats some firearms as if they were machineguns.

Over the years, I have heard over and over again from some of my friends on the other side of the aisle that the way you reduce violent, gun-related crime is by prohibiting the possession of firearms. Even if law-abiding citizens are prohibited from possessing firearms, my liberal friends argue, it is a small price to pay for safety and security.

Well, I want to take this opportunity to dispel these unfounded myths. These myths, I might add, are exposed as such by situations like we have today in the District of Columbia. I have said it before, but I will say it again, excessive regulation and the systematic erosion of the rights guaranteed by the Second Amendment do not deter violent, gun-toting criminals. Enacting and vigorously enforcing stiff penalties for those that commit crimes with guns deters violent crime. Not only is this the proven and effective approach to reducing gun violence, it also preserves the constitutionally guaranteed rights of law-abiding men and women to own and possess firearms.

In fact, I recently held a hearing that examined the Administration's gun crime reduction initiative, Project Safe Neighborhoods. This initiative has been incredibly successful. It takes the precise approach that I have advocated—strict and vigorous enforcement of crimes committed with guns. It says to criminals, ''If you use a gun during the commission of a crime, you will do very serious and very hard time.'' And it does so, without trampling on the

rights of law-abiding American men and women.

Today, unfortunately but not surprisingly, the state of affairs in the District of Columbia has highlighted exactly what those of us who care deeply about the Second Amendment of the Constitution have always feared: murderous criminals possess firearms and are free to prey upon law-abiding citizens; and law-abiding citizens—precisely because they are law-abiding citizens—may not possess a firearm in their homes to protect themselves and their families.

The prohibition of firearms in the District of Columbia is as ineffective and deplorable as it is unconstitutional; it is high-time we rectify this wrong. I urge my colleagues to support this measure.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia Personal Protection Act''.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) The Second Amendment to the United States Constitution protects the rights of individuals, including those who are not members of a militia or engaged in military service or training, to keep and bear arms.

(3) The law-abiding citizens of the District of Columbia are deprived by local laws of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the rest of the United States for sporting use and for lawful defense of persons, homes, and families.

(4) The District of Columbia has the highest per capita murder rate in the Nation, which may be attributed in part to local laws prohibiting possession of firearms by law-abiding persons who would otherwise be able to defend themselves and their loved ones in their own homes and businesses.

(5) The Federal Gun Control Act of 1968, as amended by the Firearms Owners' Protection Act of 1986, and the Brady Handgun Violence Prevention Act of 1993, provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws which only disarm law-abiding citizens.

(6) Legislation is required to correct the District of Columbia's law in order to restore the rights of its citizens under the Second Amendment to the United States Constitution and thereby enhance public safety.

SEC. 3. REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT FIREARMS.

Section 303.43 of title 1, District of Columbia Code, is amended by adding at the end the following: ''This section shall not be construed to permit the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons otherwise permitted to possess firearms under Federal law from acquiring, possessing in their homes or businesses, or using for sporting, self-protection or other lawful purposes, any firearm neither prohibited by Federal law nor regulated by the National Firearms Act. The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms.''.

SEC. 4. REPEAL D.C. SEMIAUTOMATIC BAN.

Section 2501.01(10) of title 7, District of Columbia Code, is amended to read as follows:

''(10) Machine gun means any firearm which shoots, is designed to shoot, or can be readily converted or restored to shoot automatically, more than 1 shot by a single function of the trigger.''.

SEC. 5. REPEAL REGISTRATION REQUIREMENT.

Section 2502.01 of title 7, District of Columbia Code, is amended—

(1) in subsection (a)—

(A) by striking '', and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm''; and

(B) by striking beginning with ''A registration'' through paragraph (3); and

(2) in subsection (b)—

(A) in paragraphs (1) and (2), by striking ''firearm or'';

(B) in paragraph (2), by striking the semicolon at the end and inserting a period; and

(C) by striking paragraph (3).

SEC. 6. REPEAL D.C. HANDGUN BAN.

Section 2502.02 of title 7, District of Columbia Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or'' after the semicolon;

(B) in paragraph (3), by striking ''; or'' and inserting a period;

(C) by striking paragraph (4); and

(D) by striking ''(a)''; and

(2) by striking subsection (b).

SEC. 7. REPEAL HANDGUN AMMUNITION BAN.

Section 2506.01 of title 7, District of Columbia Code, is repealed.

SEC. 8. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.

Section 2507.02 of title 7, District of Columbia Code, is repealed.

SEC. 9. ADDITIONAL REPEALS.

Sections 2502.03, 2502.04, 2502.05, 2502.06, 2502.07, 2502.08, 2502.09, 2502.10, and 2502.11 of title 7, District of Columbia Code, are repealed.

SEC. 10. REMOVE CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS.

Section 2507.06 of title 7, District of Columbia Code, is amended—

(1) by striking ''that:'' through ''(1) A'' and inserting ''that a''; and

(2) by striking paragraph (2).

SEC. 11. REMOVE CRIMINAL PENALTIES FOR CARRYING PISTOL IN ONE'S DWELLING OR OTHER PREMISES.

Section 4504(a) of title 22, District of Columbia Code, is amended—

(1) in the matter before paragraph (1), by inserting '', except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded,'' before ''a pistol''; and

(2) in paragraph (1), by striking ''a pistol, without a license pursuant to District of Columbia law, or''.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 1415. A bill to designate the facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, as the ''Barbara B. Kennelly Post Office Building'', to the Committee on Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I rise today proudly to introduce legislation to rename the postal facility at 141 Weston Street in Hartford, CT, as the ''Barbara B. Kennelly Post Office Building.'' Barbara Kennelly is a dear friend, a former member of the House of Representatives, and an outstanding citizen of Connecticut who has dedicated her life to public service on behalf of the citizens of our great State. It is long past time, and the very least that we can do to pay tribute to her in this small but lasting way.

Barbara's life of public service came as no surprise to those of us who knew her and her family—the first family of Connecticut politics, I might add. Her father, John M. Bailey, was one of the all time great political legends of our State—a powerful political leader, confidante of John F. Kennedy, and Democratic Party chairman under Presidents Kennedy and Johnson. I devoted the better half of my senior year at Yale to the study of Bailey and wrote my senior thesis, later turned into a book, on his brilliant and sophisticated use of political power. Barbara's mother was active in Democratic politics long after the death of her husband in 1975, her brother Jack served as the chief state attorney in Connecticut, and her late husband Jim was a Speaker of the Connecticut House. Politics has been in Barbara's bones practically from the time she was born.

She once told a newspaper that politics didn't ''come naturally, but certainly it's a lot easier when you see members of your family doing it. Obviously I was watching my father all the time and learning through osmosis.''

She had good instructors and she learned well. After serving on the Hartford City Council and as Connecticut's Secretary of State, Barbara was elected to Congress in 1982 and served with distinction until 1999, when she answered her party's call to run for governor.

Like her father, she was a hard-driving and skilled tactician in the House, working the back corridors of politics and shunning the bright lights of the modern media ever in search of a nine-second sound bite.

She was an insider, a loyal Member of the House leadership, and a golf partner to the likes of Danny Rostenkowski. She rose in through the party ranks making few enemies, seeking consensus, playing fair, and gathering strength one vote at a time.

Through the 1980s and 1990s, she was one of the more powerful women in the Congress—part feminist hero, part backroom pol. She had a knack for getting along with the good old boys even as she pushed the boundaries for women's rights.

In 1984, she was thrilled to be chosen to nominate Geraldine Ferraro as the first woman Vice Presidential candidate on a Democratic ticket. Years

afterward, Barbara said that moment was one of the high points of her career. But there would be many others. In her second term, House Speaker Tip O'Neill recognized her ability and appointed her to serve on the prestigious tax-writing Ways and Means Committee, a committee most members wait years to join. She also became the first woman member of the House Intelligence Committee. And in 1991, she became the first woman to join the House leadership as a chief deputy whip.

We miss her strong presence and her wise counsel here in Congress but are grateful for her continuing work on behalf of seniors as the President of the National Committee to Preserve Social Security and Medicare. I appreciate the opportunity to help honor a great woman in this way. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BARBARA B. KENNELLY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, shall be known and designated as the ''Barbara B. Kennelly Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Barbara B. Kennelly Post Office Building.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1232. Mr. STEVENS (for himself and Mr. WARNER) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes.

SA 1233. Mr. STEVENS (for Mr. ROBERTS) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes.

SA 1234. Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill H.R. 2658, supra.

SA 1235. Mr. STEVENS (for Mr. GRAHAM, of South Carolina (for himself and Mr. HOLLINGS)) proposed an amendment to the bill H.R. 2658, supra.

SA 1236. Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill H.R. 2658, supra.

SA 1237. Mr. INOUYE (for Mr. MILLER) proposed an amendment to the bill H.R. 2658, supra.

SA 1238. Mr. INOUYE (for Mr. GRAHAM, of Florida (for himself and Mr. NELSON, of Florida) proposed an amendment to the bill H.R. 2658, supra.

SA 1239. Mr. BIDEN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1240. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1241. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1242. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1243. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1244. Mr. BYRD (for himself and Mr. CORZINE) proposed an amendment to the bill H.R. 2658, supra.

SA 1245. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1246. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1247. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1248. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1249. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1250. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1251. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1252. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1253. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1254. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1255. Mr. STEVENS (for himself and Mr. INOUYE) proposed an amendment to amendment SA 1244 proposed by Mr. BYRD (for himself and Mr. CORZINE) to the bill H.R. 2658, supra.

SA 1256. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1257. Mr. STEVENS (for Mr. VOINOVICH (for himself and Mr. DEWINE)) proposed an amendment to the bill H.R. 2658, supra.

SA 1258. Mr. STEVENS (for Mr. ROBERTS) proposed an amendment to the bill H.R. 2658, supra.

SA 1259. Mr. ALLEN proposed an amendment to the bill H.R. 2658, supra.

SA 1260. Mr. INOUYE (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill H.R. 2658, supra.

SA 1261. Mr. INOUYE (for Mr. CONRAD) proposed an amendment to the bill H.R. 2658, supra.

SA 1262. Mr. INOUYE (for Mr. BREAUX (for himself and Ms. LANDRIEU)) proposed an amendment to the bill H.R. 2658, supra.

SA 1263. Mr. INOUYE (for Mr. REED) proposed an amendment to the bill H.R. 2658, supra.

SA 1264. Mr. DORGAN proposed an amendment to the bill H.R. 2658, supra.

SA 1265. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2658, supra; which was ordered to lie on the table.

SA 1266. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2658, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1232. Mr. STEVENS (for himself and Mr. WARNER) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Amounts appropriated by this Act may be used for the establishment and support of 12 additional Weapons of Mass Destruction Civil Support Teams, as follows:

(1) Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY'', up to $23,300,000.

(2) Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'', up to $16,000,000.

(3) Of the amount appropriated by title III under the heading ''OTHER PROCUREMENT, ARMY'', up to $25,900,000.

(4) Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $1,000,000.

SA 1233. Mr. STEVENS (for Mr. ROBERTS) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $2,000,000 may be available for the development of integrated systems analysis capabilities for bioterrorism response exercises.

SA 1234. Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Of the amount appropriated by title III under the heading ''PROCUREMENT, MARINE CORPS'', up to $1,500,000 may be used for the procurement of highly versatile nitrile rubber collapsible storage units.

SA 1235. Mr. STEVENS (for Mr. GRAHAM of South Carolina (for himself and Mr. HOLLINGS) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Insert after section 8123 the following:

SEC. 8124. Of the appropriated by title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $3,000,000 may be available for Marine